

PLYMOUTH BOARD OF SELECTMEN

TUESDAY, FEBRUARY 21, 2017

MAYFLOWER ROOM, TOWN HALL, 11 LINCOLN STREET, PLYMOUTH, MA – 6:30 PM

6:30PM EXECUTIVE SESSION

The Board of Selectmen will hold an Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21, Paragraph 6; to consider the purchase, exchange, lease or value of real property, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the governmental body.

- ❖ Mount Pleasant School
- ❖ Governor Bradford Inn

7:25 PM - CALL TO ORDER

Ken Tavares, Chairman of the Board, called the meeting to order at 7:25 p.m. and led the Pledge of Allegiance.

Present: Kenneth A. Tavares, Chairman
Anthony F. Provenzano Jr, Vice Chairman
John Mahoney
Sean Page
Shelagh Joyce

Melissa Arrighi, Town Manager
Derek Brindisi, Assistant Town Manager

7:27 PM – PUBLIC COMMENT

Jim Byron from Pinehills came up and thanked the Board for their service to the Town of Plymouth and its residents. He also wanted to discuss Entergy and the closing of the Power Plant. Mr. Byron said the Plant is a disaster waiting to happen. He said we shouldn't be worrying about the loss of tax revenue, adding that we need to get Washington's attention. Mr. Byron also said it is the 2nd most dangerous nuclear plant in the country.

Ken Tavares, Chairman, said we are taking some action on this later in the meeting.

7:34 PM – TOWN MANAGER'S REPORT

Melissa Arrighi, Town Manager, began her report by announcing that work on the Foot Bridge in Brewster Garden will begin this Thursday. She wanted to make everyone aware that the bridge will be unavailable for about four to five weeks.

Ms. Arrighi also said that the Library wanted to announce an exhibit called Thunder and Fire, a visual history of the service of Massachusetts Blacks in the Civil War. The exhibit is on loan for the month of February from the Commonwealth Museum.

Ms. Arrighi then talked briefly on the erosion off Manomet Point Road. She said the Department of Public Works was working with Randy Parker to establish ownership of the area where storm water is eroding the cliff. She added that we have been working with John Ramsey, Geotech Engineer, to determine the costs affiliated with repairing the site in the event that the Town will be doing the work.

Melissa Arrighi then talked about the Sewer project and gave an update on the progress. She said the redundant pipe was awarded to Gioioso, the lowest bidder out of nine bids for \$7,100,000, slightly under project cost.

Ms. Arrighi then spoke on Early Voting saying that it was a huge success. She added that this is an unfunded mandate which means there is a cost to the Town attached to this mandate.

Ms. Arrighi added that the State Auditor is trying to get funding approved and will keep the Board updated.

And lastly, Ms. Arrighi announced that the Attorney General's Office has provided approval regarding Article 26 of the 2016 Fall Town Meeting (Ground Mounted Solar By-Laws).

Ms. Arrighi said the Article received quite a bit of attention last year and added that there is an amendment to that Article which is being petitioned by Sharl Heller for this upcoming April 1, 2017 Town Meeting.

7:38 PM – AGRICULTURAL COMMITTEE APPOINTMENTS

Heidi Cooley applied for the Farmer's Open Seat and Christopher Badot applied for the At-Large Open Seat. Both were in attendance.

Chairman Tavares asked Ms. Cooley to stand and said that both applicants were not strangers to the Board. He then asked the Board to take both appointments under one vote.

On a motion by Sean Page and seconded by John Mahoney, the Board appointed Heidi Cooley and Christopher Badot to the Agricultural Committee. *Voted 5/0*

7:40 PM – LIBERTY COMPASSION

Joe Ferreira came to the podium saying that he was a former Police Chief and would be representing Liberty Compassion. He mentioned that Terry Fracassa was on his way and stuck in traffic but he would continue the presentation while waiting for him.

Mr. Ferreira said that while they did their research they worked with the Town Manager and Chief Botieri who were both extremely helpful. He said they ultimately chose a location in the Nasr Jewelers building on Commerce Way and would be strictly for medical marijuana. He went on to say they had four locations in Maine, one location in Rhode Island and one location in Connecticut. Mr. Ferreira explained to the Board that they mainly sell creams, ointments and edibles. The average patient age is 50 years old and emphasized that they have never had one incident or robbery, nor have they ever needed the assistance of the police force at any of their current facilities. He then introduced Terry Fracassa to the podium.

Terry Fracassa came up as the attorney for Liberty Compassion. He said edibles are the fastest growing segment of medical marijuana. He said it's a purer form of cannabis and will take the place of opioids and narcotics. He went on to explain that edibles do not have the toxicity that smoking marijuana has. A newer aspect of medical marijuana will be vape

cartridges as well as sublingual drops that go under your tongue. Mr. Fracassa reiterated that they would mainly carry creams, ointments, vapes and capsules. He went on to say he has been working at this for the past six years and his eyes have been opened 180 degrees in regards to the patients that seek these products. He said he's seen police officers, their wives, priests and children treated at these facilities, and it's heartwarming to see the results.

John Mahoney, Selectman, asked Mr. Fracassa how long he had been working with Liberty Compassion, to which he said about one year.

Selectman Mahoney then mentioned the location choice and asked if it was typical of what he has seen in the industry. Mr. Fracassa replied by saying it is smaller than what we're used to but the laws are similar to those of CT and RI so he said he's confident with its success.

Selectman Mahoney then asked what their typical gross annual income would be, to which Terry Fracassa said that there's a ramp up period but estimated five million per year with a potential increase dependent on proximity to other facilities and population.

And finally, Selectman Mahoney asked if they were prepared to match the PILOT Programs that we had in place, then asked how they compare to other communities that they have dealt with. Mr. Fracassa said that this is new for them, saying that they have never run into any PILOT Programs at all. He said they pay the usual property taxes and then have a host agreement which covers any added burden on police and fire.

Chairman Tavares asked where their inventory would be coming from, to which Mr. Fracassa said that in Massachusetts you are required to supply your own dispensary. Our grow facility is in Clinton, Massachusetts and typically we have a two day supply at a time so the inventory is not large at the dispensary.

Anthony Provenzano Jr, Vice Chairman, asked if they produce all of the products that they previously described at their Clinton location. Mr. Fracassa said yes, and he then briefly went over the process of harvesting, drying and extracting oils from the plants.

Shelagh Joyce, Selectman, asked what kind of packaging would be used when a patient comes in to pick up their products. She said her concern was if someone were to leave the package on their car seat while they continued shopping. Mr. Fracassa replied by saying the bag would have the facilities logo but that would be inside of another plain bag so there will be no way anyone would know it's a cannabis product.

Selectman Joyce then asked about the Rhode Island facility and if its proximity to the T.F. Greene Airport had caused any issues, to which Mr. Fracassa said no, there have been no issues at all. He said we have several safeguards set up in order to enter the building which include buzzers and trained security guards.

Selectman Joyce asked one final question which was in regards to the manufacturing on their products. She said there was a situation in Framingham where many people died, so are you holding your sterile techniques to your own standards, to which Terry Fracassa replied by saying they hold themselves out to best practices. He said there is a staff member with a PhD in Chemistry. He said that eventually the Federal Government will be on board so we want to be ready for when that day comes.

Chairman Tavares turned it to the Board, and no motion was taken. The decision went under the advisement of the Board.

8:15 PM – ARTICLE 16A – 1820 Court House

Bill Keohan began by handing out his CPC Booklets for the Board to review. He then gave a brief presentation on transferring money from Fiscal Year 2018 Community Preservation Act estimated annual revenues.

On a motion by Anthony Provenzano Jr and seconded by John Mahoney, the Board approved moving Article 16A to the 2017 Spring Town Meeting. *Voted 5/0*

8:23 PM – ARTICLE 16B – Simes House

Bill Keohan began by saying this is similar to the previous Article, only this would be in regards to the Simes House. He said the project was moving along smoothly and is scheduled to be completed very soon.

Anthony Provenzano Jr asked how much debt was out there, to which Mr. Keohan replied none at the moment.

Selectman Joyce asked why we have to borrow now as in 2016 Town Meeting approved about two million dollars. Bill Keohan replied by saying it was approved but we haven't borrowed it yet. He said that they should be able to manage the final costs with available funds but added if the bills came in at the same time they would have to borrow short-term.

Selectman Joyce asked if Lynne Barrett, Finance Director, had talked about timing in term of borrowing, to which Mr. Keohan said they would keep the borrowing under one year.

On a motion by John Mahoney and seconded by Sean Page, the Board approved moving Article 16B to the 2017 Spring Town Meeting. *Voted 5/0*

8:30 PM – ARTICLE 16C – Sandwich Road Land

Bill Keohan explained that this Article was to acquire 43 acres off of Sandwich Road.

Selectman Joyce asked if the total amount was \$455,000 to which Mr. Keohan said yes. He added that they would only be asking for \$191,000 because of a grant that they had received.

Selectman Joyce then asked why that wasn't in the motion. Mr. Keohan explained that at the time that the Article was presented they didn't have those exact numbers but that a motion will be made on the Town Meeting floor.

Selectman Mahoney said the grant won't come into play for another year so it won't occur until spring of 2018. Mr. Keohan said that was correct but the way the grant works requires us to act on it now in order to secure the grant.

Selectman Joyce asked if the land was owned by one person and were there any ties to the Town, to which Mr. Keohan said it was owned by a family and the land is in a trust. He said the Shane family are known around Southeastern Massachusetts but have no connection with the Town of Plymouth other than the land.

On a motion by John Mahoney and seconded by Anthony Provenzano Jr, the Board approved moving Article 16C to the 2017 Spring Town Meeting. *Voted 5/0*

8:40 PM – ARTICLE 16D – Russell Mills Road Land

Bill Keohan explained that this Article was in regards to about 10 acres of land located off Russell Mills Road. He went on to say the land was appraised for \$420,000 and we discussed with the owners about preserving this land which they would like to see so they agreed to sell it to the Town for \$175,000 which is greatly reduced.

Selectman Joyce asked about the stewardship endowment from the Town to the Wildlands Trust and asked if that would change from the estimated amount.

Mr. Keohan said that is based on getting the conservation restriction and the burden of enforcement. That burden comes with a cost so we'll do a one-time endowment.

Selectmen Joyce then asked what would close the loop for the endowment amount? She asked how it was calculated and what the communication cycle was.

Mr. Keohan said there is a calculation formula that they use for Southeastern Massachusetts to figure out these amounts and added that he can provide the Board with that formula.

On a motion by Sean Page and seconded by Anthony Provenzano Jr, the Board approved moving Article 16D to the 2017 Spring Town Meeting. *Voted 5/0*

8:45 PM – ARTICLE 16E – CPA Debt Service

Bill Keohan explained that this Article was supported by Lynne Barrett, Finance Director, in order to be able to manage the final bills for the 1820 Court House and the Simes House if they were to come in early than later.

On a motion by John Mahoney and seconded by Anthony Provenzano Jr, the Board approved moving Article 16E to the 2017 Spring Town Meeting. *Voted 5/0*

8:47 PM – ARTICLE 16F – Fiscal Year 2018 Budget

Bill Keohan said that this is an annual account set aside every Spring Town Meeting for money to be set aside for administrative costs.

On a motion by Anthony Provenzano Jr and seconded by John Mahoney, the Board approved moving Article 16F to the 2017 Spring Town Meeting. *Voted 5/0*

Bill Keohan thanked the Board for their support and finished up by telling the Board that when they found the vault in the 1820 Court House there were documents inside that dated back to the 1600's so there's some exciting work happening.

8:52 PM - LICENSES AND ADMINISTRATIVE NOTES**LICENSES**

On a motion by Sean Page and seconded by Shelagh Joyce, the Board approved a One Day Wine and Malt License for **EC Event Management**, 17 Sleepy Hollow Drive for a Comedy Show being held on February 24, 2017 from 6:00pm to 10:00pm at Studio G. *Voted 5/0*

On a motion by Sean Page and seconded by Shelagh Joyce, the Board approved a One Day Wine and Mat License for **Wildlands Trust Inc.**, 675 Long Pond Road for a National Beer Day Event being held on March 1, 2017 from 5:00pm to 7:00pm at the Wildlands Trust Community Conservation Hall. *Voted 5/0*

ADMINISTRATIVE NOTES

The Board agreed to execute a **Purchase and Sales Agreement** for 10.29 acres of land located off West Russell Mills Road that is shown on Assessor's Map 82 as Parcels number 58A-1, 58A-2 and 58A-3 as presented in Article 16D of the 2017 Spring Town Meeting.

On a motion by Anthony Provenzano Jr and seconded by Sean Page, the Board approved the **Open Meeting Minutes** from the February 7, 2017 Selectmen's Meeting. *Voted 5/0*

On a motion by Shelagh Joyce and seconded by Anthony Provenzano Jr, the Board granted **Exclusive Vendor Rights** to America's Hometown Thanksgiving Celebration Committee for all activities that are scheduled which will take place from November 17, 2017 through November 19, 2017 along the Streets of Plymouth and Pilgrim Memorial Hall. *Voted 5/0*

On a motion by Anthony Provenzano Jr and seconded by Shelagh Joyce, the Board executed an **Acceptance of the Grant of Amended and Superseding Deed of Easement** for the Highway purposes from High Rock Cranberry Crescent LLC as voted under Article 24 of the 2016 Annual Fall Town Meeting. *Voted 5/0*

The Board agreed to grant **First VCH Corporation d/b/a Lobster Hut**, Lessee of Town-Owned Property as 25 Town Wharf, permission to conduct Test Borings at the Leased Premises subject to and contingent upon the satisfaction of all State, Federal, and Local guidelines and regulatory requirements related to such activity.

8:53 PM - COMMITTEE LIAISON / DESIGNEE UPDATES

None

8:54 PM - OLD BUSINESS / LETTERS / NEW BUSINESS

Anthony Provenzano Jr, Vice Chairman, said that they received a request to re-open the 2017 Special Town Meeting Warrant, saying that there was an Article on the Annual Town Meeting Warrant that was fatally flawed and this would rectify that. He explained that it had to do with a private structure infringing on Town Property. He then made a motion to authorize the Board of Selectmen to reopen the Warrant so that this petitioner could resubmit their requested Article in time for the Spring Town Meeting. He reiterated that the Warrant would only be opened for one day.

On a motion by Anthony Provenzano Jr and seconded by Sean Page, the Board voted and approved re-opening the Spring 2017 Special Town Meeting Warrant on February 22, 2017 from 7:30am to 4:00pm only. *Voted 5/0*

Chairman Tavares then said that the State House was asking for recommendations for appointees to the Nuclear Decommissioning Committee which they will be forming in June of this year. The Chairman then recommended the following:

- Joseph Coughlin (Nuclear Matter Committee Member)
- Heather Lightner (At Large)
- John Mahoney (At Large)

On a motion by Sean Page and seconded by Anthony Provenzano Jr, the Board voted and approved the Chairman's recommended Appointees as listed above. *Voted 5/0*

Shelagh Joyce, Selectman, wanted to talk about the Town Hall Hours of Operation once they move into the new building. She began by saying she had a conversation with a rider on the commuter train a while back. She said this person talked about how difficult it was for residents and building contractors to get to the Town Hall during regular working hours. Selectman Joyce said that she then did a little research on local communities on how they deal with this issue. She presented her findings showing that most surrounding Town Halls are open late one night each week and close earlier on Friday. She then welcomed questions or comments from the Board.

Selectman Page asked if the late hours reflected on nights that the Town Hall was already open for night meetings, to which Selectman Joyce said she did not research night meetings but she feels that it would be nice to have the late night coincide with the Selectmen's Meetings.

Selectman Page then asked how it would affect overtime and the Collector's Office, and asked if there would be split shifts.

Melissa Arrighi said that they would consider closing early on Friday and mimic the other communities as not to incur any overtime costs. She added that split shifts would not be conducive because many of the Town's Departments are only 2 and 3 people so coverage would be difficult.

Chairman Tavares asked that this be put on as an Agenda item next week for further discussion and to get the Board's support.

Vice Chairman Provenzano said that in Executive Session they discussed the Mount Pleasant School property that has been in the care and custody of the Board of Selectman for the past several months. He said an appraisal has been ordered so he moves that the Town Manager be authorized to prepare a Request for Proposal for the sale of the property with conditions that include the completion of the appraisal, that the façade and architectural features be maintained, and that the sale is subject to restrictions for the preservation of Open Space for the rear portion of the lot and further to set adequate square footage so that the buyer can create a successful development.

Selectman Mahoney asked what the timing was for the appraisal and Derek Brindisi, Assistant Town Manager replied by saying two to three weeks.

Selectman Mahoney also wanted to add that we just listened to two Town Meeting Articles regarding Open Space and it's very important to a lot of residents. He said that he's heard from a lot of neighbors of the Mount Pleasant School and said he would like to have a fair amount of outreach to these residents as they have expressed their fondness of the open space behind the school.

Melissa Arrighi said that we would maintain transparency during this transaction as we have also heard similar comments from local residents.

Selectman Page noted that the Board has not forgotten about other properties that might be better suited for elderly housing.

Chairman Tavares said that the Board would like to sit with the Plymouth Housing Authority to discuss developing other parts of Plymouth. He said that many elderly want to go into housing but also stay in their neighborhoods. WE need to talk about where and how we can do this as the aging community is increasing and they need more assistance.

Selectman Provenzano reiterated that we need more cost effective options and that the elderly want housing that is near their families.

Melissa Arrighi mentioned that the Assistant Town Manager is the Chairman of the Affordable Housing Trust and would extend an invite to the Board of Selectmen to a round table meeting to discuss land and locations.

On a motion made by Anthony Provenzano Jr and seconded by John Mahoney, the Board approved the Town Manager to prepare a request for proposal for the sale of the Mount Pleasant School Property with the conditions listed above. *Voted 5/0*

Selectman Shelagh Joyce wanted to make everyone aware that on Saturday, March 4th at Plymouth North High School there will be a fundraiser for a new playground at the Manomet Elementary School. The event will be a Family Feud Night and will be held from 6:30 to 9:30 and tickets are \$6 each and available at the door.

9:14 PM - ADJOURNMENT

On a motion by Anthony Provenzano Jr and seconded by John Mahoney, the Board voted to adjourn the Open Session at 9:14pm. *Voted 5/0*

By Roll Call: Tavares-Yes, Provenzano-Yes, Mahoney-Yes, Page-Yes, Joyce-Yes

Recorded by: Christopher Badot

Administrative Assistant, Board of Selectmen